

The actions delineated below were taken in open session of the EPSB at the November 17, 2003 regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the EPSB, 100 Airport Road, 3rd Floor, Frankfort, KY 40601.

**Education Professional Standards Board (EPSB)
Summary Minutes of the Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
November 17, 2003**

Members Present:

Jim Applegate
Doris Barlow
Eugene Binion
Dan Branham
Ron Bryan (for Gene Wilhoit)
Wally Campbell
Lydia Coffey
Joy Gray
Kristin Gregory
Arthur Green
Linda Livers
Penny Robinson
Wilson Stone
Tom Stull
Ellie Thompson
Mark Wasicsko

Members Absent:

Joe Welch

Minutes

Call to Order

Chair Lydia Coffey called the meeting to order at 9:00 AM EST.

Swearing in of New Board Member

Ms. Brenda Allen swore in Ms. Linda Livers, Bowling Green Independent Schools, teacher representative.

Approval of Minutes

Motion made by Mr. Eugene Binion, seconded by Ms. Joy Gray, to approve the minutes of the September 22, 2003 EPSB meeting with the following revision: remove Linda Livers from "Members Absent" (Ms. Livers' appointment to the board was made on September 19, 2003; however, she did not received her official letter of appointment until after the September 22 board meeting date).

Vote: Unanimous

Open Speak

No requests were made for Open Speak.

Recognition of Dr. Ed Ford

Dr. Susan Leib, board members, and institutional representatives recognized Dr. Ed Ford, Secretary of the Cabinet, for his support of the EPSB in becoming an independent agency and for his leadership in improving teacher quality and public education for the children of the Commonwealth of Kentucky.

Report of the Executive Director and Staff

Dr. Leib announced that EPSB staff raised \$2,700 for the Kentucky Employees Charitable Campaign.

Dr. Ric Keaster was introduced as Western Kentucky University's Associate Dean of Administration and Student Services.

Mr. David Anstey, Database Analyst, was introduced as a contract employee in the Division of Professional Learning and Assessment.

The following items were distributed to board members:

- Emergency Non-Certified Personnel Program Report: 1st Quarter, July 2003-September 2003
- *The Kentucky Teacher*

Report of the Chair

Ms. Coffey made the following committee appointments and reappointments:

Kentucky Teacher Internship Committee: Appointed Mr. Tom Stull to replace Mr. Arthur Green

Kentucky Advisory Council for Internship: Appointed Ms. Linda Gardella, Boone County Schools; Ms. Candice Roten, Frankfort Independent Schools; Ms. Artie Akins, Mercer County Schools; Ms. Susan Weatherford, Hopkins County Schools; and Ms. Judy Turner, Capital Day School, Frankfort

Full Board Information Items

McKendree College's Request to Offer Graduate Programs Leading to Certification at its Louisville Campus

In September 2003, McKendree College in Lebanon, Illinois submitted a letter of intent to seek program approval to offer graduate programs leading to certification at its Louisville campus. McKendree College will undergo its first accreditation by the National Council for the Accreditation of Teacher Education in 2006. The institution currently is accredited by the North Central Association of Colleges and Schools and the Illinois State Board of Education.

The Chair of the Division of Education, Health and Human Performance, who also serves as the Director of Teacher Education and the Dean of the Kentucky campuses, met with EPSB staff to discuss the program approval process in September 2003. McKendree College has met Pre-Condition 1 as stipulated in 16 KAR 5:010, Section 9 and is now fulfilling the remainder of the

required preconditions. The institution presently is in Stage One of the EPSB's Accreditation of Preparation Programs Procedure.

16 KAR 4:020 - Certification Requirements for Teachers of Exceptional Children, Notice of Intent

In June 1998, the EPSB updated the Certification Guidelines and Crosswalk Document, which was developed to "reduce and streamline the credential system to allow greater flexibility in staffing local schools while maintaining standards for teacher competence." 16 KAR 4:020 governs the appropriate assignments for teachers of exceptional children. Throughout the regulation are references limiting teachers to assignments "within the grade range limitations of the teacher's certificate." With the advent of the crosswalk document, however, teachers of exceptional children holding the "old" certificate were no longer limited to the grade ranges denoted on their certificates. As with those teachers certified under the "new" certificates, holders of "old" certificates are permitted to teach "all grades" in their respective areas. The draft amendment to 16 KAR 4:020 simply removes references to the grade ranges denoted on the "old" certificates to make the regulation consistent with the crosswalk document and with assignments in local districts.

This item will be brought back at the January 2004 meeting as an action item for final approval.

Update on the No Child Left Behind Act (NCLB) of 2001, Including Options for Teachers of Special Education

Representatives of the United States Department of Education, the Kentucky Department of Education, and local school districts met with EPSB staff on October 30, 2003 to discuss teachers' options for demonstrating that they are "highly qualified" according to NCLB. As a result of this meeting, revisions to the EPSB's Highly Qualified Teacher document were made to stay in compliance with NCLB. The revised document and the Addendus #2 are posted to the EPSB website and are being distributed to school districts and regional educational cooperatives.

Full Board Action Items

Proposed 2004 Legislative Platform

2003-139 *Motion made by Mr. Green, seconded by Ms. Gray, to approve the 2004 Legislative Platform as presented by staff.*

Vote: Unanimous

Board members asked that the Advisory Council for Internship review the issue of college faculty serving on adjunct certificates in order to teach dual credit courses and the need to ensure these faculty also are considered "highly qualified" according to NCLB, and to bring the findings and recommendations to the board at a later date.

2004-2006 Executive Branch Budget Request

2003-140 *Motion made by Dr. Dan Branham, seconded by Dr. Wally Campbell, to approve the 2004-2006 Executive Branch Budget Request.*

Vote: Unanimous

Safety Educator Standards for Preparation and Certification

2003-141 *Motion made by Dr. Branham, seconded by Dr. Doris Barlow, to table this item pending revisions as discussed by the board. This item will be brought back for approval at the January 2004 meeting.*

Vote: Unanimous

After further discussion among board members, the following motion was made:

2003-142 *Motion made by Mr. Ron Bryan, seconded by Mr. Binion, to approve the Safety Educator Standards for Preparation and Certification as presented.*

Vote: Unanimous

Endorsement in Environmental Education

2003-143 *Motion made by Ms. Kristin Gregory, seconded by Ms. Penny Robinson, to approve the Endorsement in Environmental Education.*

Vote: Unanimous

Waiver Request

2003-144 *Motion made by Dr. Mark Wasicsko, seconded by Dr. Branham, to approve the request of Dr. James G. Cibulka, College of Education, University of Kentucky, on behalf of Ms. Joan Nichols, Ms. Mima Kearn, Ms. Becky Johnson, Ms. Ashley Barbour, and Mr. Matt Helton, to waive 16 KAR 5:040, Cooperating Teacher Eligibility Requirements.*

Vote: Unanimous

Alternative Route to Certification Applications

2003-145 *Motion made by Mr. Green, seconded by Ms. Gray, to approve the application for adjunct instructor certification in Japanese, grades 8-12, for Ms. Jean Hall.*

Vote: Unanimous

2003-146 *Motion made by Ms. Gray, seconded by Dr. Branham, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in English, grades 8-12, for Mr. Thomas Clark.*

Vote: Unanimous

Emergency Non-Certified Personnel Program Application for 2003-04

2003-147 *Motion made by Mr. Binion, seconded by Ms. Livers, to approve the Emergency Non-Certified Personnel Program Application for Murray Independent Schools, for the 2003-04 school year.*

Vote: Unanimous

Personnel

Motion made by Mr. Wilson Stone, seconded by Mr. Binion, to go into closed session for the purpose of discussing personnel issue(s) in accordance with KRS 61.810 (1)(g).

Vote: Unanimous

Motion made by Dr. Barlow, seconded by Ms. Livers, to return to open session.

Vote: Unanimous

There were no decisions made in closed session.

DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW November 14, 2003

Motion made by Ms. Robinson, seconded by Ms. Gray to go into closed session for purpose of discussing proposed or pending litigation in accordance with KRS 61.801(c)&(j).

Vote: Unanimous

Motion made by Ms. Gray, seconded by Dr. Campbell to return to open session.

Vote: Unanimous

The following board members concurred with the actions as listed below with the noted exceptions:

Lydia Coffey, Arthur Green, Tom Stull, Doris Barlow, Joy Gray, Penny Robinson, Ellie Thompson, Linda Livers, Eugene Binion, Wilson Stone, Kristin Gregory, and Wally Campbell.

Attorneys present were Brenda Dinkins Allen, Cynthia Clay Grohmann, Carole Catalfo and Robert S. Jones.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
03-08118	Admonish
03-0688	Admonish
03-07111	Hear

03-0689	Hear
03-07115	Hear (<i>Mr. Binion dissented</i>)
03-08116	Hear
03-07113	Hear
03-07114	Hear
03-09123	Admonish (<i>Ms. Gray recused</i>)
03-09122	Admonish (<i>Ms. Gray recused</i>)
03-08120	Hear
03-08121	Admonish
03-09124	Admonish
03-08119	Dismiss
01-0103	Admonish
99-06140	Admonish
03-0352	Dismiss Without Prejudice

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
03-170	Approve
03-171	Approve
03-172	Approve
03-173	Approve
03-174	Approve
03-175	Approve
03-176	Approve
03-177	Approve
03-180	Approve
03-178	Approve
03-181	Approve
03-182	Approve
03-183	Approve
03-184	Approve
03-185	Approve
03-186	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
01-0547 (Vaaloa Liu)	Accept Agreed Order admonishing respondent for displaying poor judgment in failing to closely monitor videos being shown in class, failing to follow Jefferson County Public Schools' procedure regarding private candy sales, and failing to follow directives regarding supervision of students. Vote: Unanimous
02-11137 (Tony Pennington)	Accept Agreed Order suspending respondent's teaching certificate from October 29, 2002 through June 30, 2004. Reinstatement of this

certificate is expressly conditioned upon respondent's providing documentation of a comprehensive evaluation by a Kentucky licensed and/or certified physician and/or chemical dependency counselor. This physician and/or chemical dependency counselor shall present written evidence that the respondent has complied with the evaluation process, has successfully completed any and all treatment recommendations, and has no physical or mental incapacity that prevents him from performing his duties with reasonable skill, competence, and safety.

Vote: Unanimous

03-0580
(Stanley Arachikavitz)

Accept Agreed Order providing that respondent's teaching certificate shall not be renewed or reissued for a period of two years from the date of acceptance of this agreement by the Board.

Vote: Unanimous

03-0350 (Betty White)

Accept Agreed Order suspending respondent's certificate through June 30, 2004. In the event respondent recovers from her disabilities and is able to return to work any time after that date, she agrees to provide the Board with written proof from a Kentucky licensed psychiatrist or psychologist that she is mentally fit to return to the classroom and is no longer disabled.

Vote: Unanimous (*Ms. Robinson recused*)

Recommended Order of Default

Case Number

Decision

01-12162 (Naomi Kelly)

Accept the Hearing Officer's Findings of Fact and Conclusions of Law. Modify the Hearing Officer's Recommended Order to a revocation for a period of twenty years, instead of seven years.

Vote: Unanimous

Motion made by Ms. Gregory, seconded by Mr. Binion to adjourn the meeting.

Vote: Unanimous

The meeting adjourned at 12:45PM.

**Next Meeting: January 12, 2004
EPSB Board Room
Frankfort, Kentucky**

